

**West Valley Central School Board of Education  
Official Minutes**

**Regular Meeting**                      **March 23, 2021 at 7pm**                      **via in person and ZOOM**

Members Present: Niesyty, Ploetz, Davis - ZOOM, Harmony, Klahn, Frank  
Absent: Lawrence, Gugino  
Others Present: Amodeo, O'Brien, Farrar, Boberg, Bryan Hansen, Meghan George-Baker, Dana Lembke, Alex Fisher, Kaylee McCracken

**I. CALL TO ORDER**

Regular Meeting called to order at 7pm with Ploetz presiding.

**II. PLEDGE OF ALLEGIANCE to the UNITED STATES FLAG**

**III. Moved by Harmony, seconded by Niesyty to ADOPT the AGENDA**

Additions: none

Deletions: none

Changes: none

6 ayes, 0 nays, motion accepted

**IV. Correspondence/BOE information**

none

**V. PUBLIC COMMENTS**

*The Board of Education invites you, the residents of our school community, to feel comfortable in sharing matters of interest or concern that you might have with us. The Board President will be happy to recognize those of you who wish to speak. Please indicate this on the sign in sheet and you will be called on in order, identify yourself with your name and address.*

*Those items brought to the attention of the Board during this time may be taken under consideration for future response or action. We ask that individual comments be limited to a few minutes in order to accomplish the evening's agenda.*

*We respectfully ask that issues related to specific school district personnel or students be brought to the attention of the Superintendent or Principal privately.*

none

**VI. BOARD COMMENTS**

*Within this section of the agenda, the Board of Education or Administration may take the opportunity to comment on matters of interest or concern.*

none

**VII. PRESENTATIONS**

Alex Fisher and Kaylee McCracken 2021 Seniors presented on the class trip to Virginia April 24 – May 1, 2021.

## VIII. REPORTS

A. Superintendent, Dr. Farrar reported on the school calendar. After input and feed back from the staff and administrators, I made two adjustments to the calendar for 21-22 from the draft I shared with you.

There are two health services contracts (Supplemental and Aveana) for nursing services. One is an addition to the agenda posted from yesterday. We need to have as many plans in place to secure nursing substitutes.

Governor Cuomo announced the at effective March 12<sup>th</sup>, employers are obligated to provide time off to employees for vaccine injections without charge to their own sick time. The time is not retroactive to those employee's hat took their own sick time prior to March 12<sup>th</sup>.

We have our first kick-off meeting with the architects and construction managers on March 30<sup>th</sup>.

B. Principal, Daniel Amodeo reports on 2021 assessment changes from previous years to this year. In previous years, 3-8 ELA and Math had a 3-day testing window, 2 testing days – 1 multiple choice and 1 written, and every student succeeds act (ESSA) data. Now there is a 10-day testing window, 1 testing day - 1 multiple choice with written as optional and every student succeeds act (ESSA), no determinations made.

Previous 4<sup>th</sup> and 8<sup>th</sup> science – performance and written exam, performance or lab component done prior to written exam, and written exam administered on 1 day. 2021 4<sup>th</sup> and 8<sup>th</sup> science – written exam only and written exam administered on 1 day.

Previous regents' exams were given in Algebra 1, Geometry, Algebra II, Global History, U.S. History, ELA, Earth Science, Living Environment, Chemistry, Physics, administered over 7 days, foreign language (LOTE): check point A & B and graduation requirements.

2021 Regents exams give will be Algebra I, ELA, Earth Science, Living Environment, administered over 4 days, Foreign Language (LOTE) checkpoint A & B: optional and regents exemptions for graduation requirement. Regents examination requirement – before COVID-19 – Pass 5 exams: 1 ELA, 1 Math, 1 Science, 1 Social Studies and a Pathway Exam, or CDOS, or additional Regents. 2021 Regents exam exemptions - students earn exemption from Regents/LOTE exam requirements for graduation: if successfully complete a course of study, if a passing grade not earned on the 4 required: student can meet graduation requirement with exemption, Multiple Pathways for regents and local diploma.

C. Business Official, Ann O'Brien reviewed the remaining section of the budget. The state budget is due to be passed by April 1<sup>st</sup>. Once we know the outcome, we will be able to bring everything together and discuss the big picture. Currently it looks like both the Assembly and Senate are looking to do more for school district's than the Governor. In addition to budget we should also be learning more from the State on the amount of federal aid we will receiving and to what degree they give us flexibility with the aid. Chuck Schumer out a spreadsheet showing what each district would be receiving.

D. Director of Special Education, Shawna Gugino – no report

## **IX. CONSENT AGENDA**

A. Moved by Harmony, seconded by Niesyty to approve the unofficial minutes from February 23, 2021. 6 ayes, 0 nays, motion accepted.

## **X. PERSONNEL**

A. Moved by Harmony, seconded by Niesyty to approve Rachel Mulhisen and Julie Baren as coaches for the spring season of Girls on the Run program, from April 13<sup>th</sup>, 2021 through June 3<sup>rd</sup>, 2021. Antonette Backert will be a substitute for this program. 6 ayes, 0 nays, motion accepted

B. Moved by Harmony, seconded by Harmony to approve Erika Seltzer as a COVID screener for the Capital Improvements Project Vote on March 9<sup>th</sup>, 2021 and the Annual Vote on May 18<sup>th</sup>, 2021, pay will be \$13.20 per hour. 6 ayes, 0 nays, motion accepted

C. Moved by Harmony, seconded by Niesyty to approve the Employment Agreement Amendment by and between the Board of Education of the West Valley Central School District and Dr. Taweepon Farrar, amendment dated March 23<sup>rd</sup>, 2021. 6 ayes, 0 nays, motion accepted

D. Moved by Harmony, seconded by Klahn to add a resolution to approve Orion as a 403(b) provider. 6 ayes, 0 nays, motion accepted

## **XI. OLD BUSINESS**

none

## **XII: NEW BUSINESS:**

A. Moved by Harmony, seconded by Frank to approve the sharing of a plan for a senior trip .6 ayes, 0 nays, motion accepted

B. Moved by Frank, seconded by Niesyty to approve the 2021/2022 school calendar. 6 ayes, 0 nays, motion accepted

C. Moved by Niesyty, seconded by Frank to acknowledge entering into a contract of agreement for the purpose of providing Health and Welfare Services, computation of fees for services as per Section 912 of the Education Law, for children residing in West Valley Central School District and attending non-public schools in the Williamsville Central School District to begin on September 8, 2020 and to end on June 24, 2021. 6 ayes, 0 nays, motion accepted

D. Moved by Niesyty, seconded by Harmony to approve the following resolution for Cooperative Natural Gas Bid:

**GENERAL RESOLUTION  
FOR THE PURPOSE OF  
PARTICIPATING IN A COOPERATIVE BID COORDINATED BY  
THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF  
ONTARIO, SENECA, WAYNE AND YATES COUNTIES  
FOR**

<b>Cooperative Natural Gas Bid WFL 2022-19</b>
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WHEREAS, The Board of Education, West Valley Central School District of New York State desires to participate in a Cooperative Bidding Program conducted by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties from year to year or, until this Resolution is rescinded, for the purchase of supply of natural gas. And...

WHEREAS, The Board of Education, West Valley Central School District of New York State is desirous of participating with The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties in the joint bid of the commodities and/or services mentioned below as authorized by General Municipal Law, Section 119-o... And...

WHEREAS, The Board of Education, West Valley Central School District of New York State has appointed The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties as representative to assume the responsibility for drafting of specifications, advertising for bids, accepting and opening bids, tabulating bids, reporting the results to the Board of Education, West Valley Central School District of New York State and making recommendations thereon...

THEREFORE...

BE IT RESOLVED, That The Board of Education, West Valley Central School District of New York State and The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties hereby accepts the appointment of The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties to represent it in all matters related above... And...

BE IT FURTHER RESOLVED, That The Board of Education West Valley Central School District of New York State authorizes the above-mentioned Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties to represent it in all matters regarding the entering into contract for the purchase of the below-mentioned commodities and/or services... And...

BE IT FURTHER RESOLVED, That The Board of Education West Valley Central School District of New York State agrees to assume its equitable share of the costs incurred as a result of the cooperative bidding... And...

NOW, THEREFORE, BE IT RESOLVED, That The President of the Board of Education on behalf of the Board of Education, West Valley Central School District of New York State hereby is authorized to participate in cooperative bidding conducted by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties for supply of natural gas and if requested to furnish The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties an estimated minimum number of units that will be purchased by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties. The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties is hereby authorized to award cooperative bids to the bidder deemed to be the lowest responsive and responsible meeting the bid specifications and otherwise complying with Article 5-A of the General Municipal Law of the State of New York relating to public bids and contracts.

6 ayes, 0 nays, motion accepted

E. Moved by Harmony, seconded by Frank to approve the following Supplemental Health Care School Staffing Services agreement:

This agreement ("Agreement") is made and entered into this 23<sup>rd</sup> day of March, 2021, by and between SHC Services, Inc. d/b/a Supplemental Health Care, (hereinafter "SHC"), with principle offices located at 1640 W. Redstone Center Drive, Suite 200, Park City, Utah 84098 and West Valley Central School District, on behalf of itself, its facilities, divisions, and subsidiaries (hereinafter collectively referred to as the "Client") with its principle offices located at 5359 School Street, West Valley, NY 14171. SHC and Client are sometimes referred to as a "party" or collectively as the "Parties".  
6 ayes, 0 nays, motion accepted

F. Moved by Frank, seconded by Harmony to approve the following resolution:

**A RESOLUTION, DATED MARCH 23, 2021, OF THE BOARD OF EDUCATION OF THE WEST VALLEY CENTRAL SCHOOL DISTRICT, CATTARAUGUS COUNTY, NEW YORK (THE "DISTRICT") DECLARING THE DISTRICT'S PROPOSED CAPITAL OUTLAY PROJECT (INVOLVING MODEST UPGRADES AND IMPROVEMENTS AT THE DISTRICT'S MAIN SCHOOL BUILDING) TO BE A TYPE II ACTION UNDER SEQRA, AND AUTHORIZING AND DIRECTING THE INCLUSION OF FUNDING FOR SUCH PROJECT IN THE DISTRICT'S PROPOSED 2021-2022 BUDGET.**

WHEREAS, the West Valley Central School District, Cattaraugus County,

New York (the “District”), after consultation by District officials with the District’s retained architectural firm, Young + Wright Architectural (“Y+W”), has resolved that the District should propose to undertake, during the District’s pending (2021-2022) fiscal year, a capital outlay project involving modest upgrades and improvements at the District’s main school building, such work being anticipated to include, but not necessarily to be limited to, the removal and replacement of doors and ceilings, and all associated work (collectively, the “Project”); and

WHEREAS, the estimated maximum cost of the Project (inclusive of all preliminary and incidental costs) has been determined by Y+W to be \$100,000; and

WHEREAS, the District is proposing that the Project be financed by the application of \$100,000 of funds to be earmarked for such purpose as a “Transfer to Capital Fund” in the District’s pending (i.e., 2021-2022) budget, with the work on the Project being anticipated to occur (and be completed) during the 2021-2022 fiscal year of the District; and

WHEREAS, in accordance with State Education Department guidance and policy, the District/Board of Education is the appropriate agency to be the lead agency to undertake Project review under the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, Section 617.5 of the SEQRA regulations (6 NYCRR Part 617) provides that certain activities are Type II actions which are not subject to review under SEQRA and that such activities include “maintenance or repair involving no substantial changes in an existing structure or facility” and “replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site...;” and

WHEREAS, the Project constitutes such maintenance, repair, or in-kind, same-site replacement, rehabilitation, or reconstruction activities; and

WHEREAS, under the terms of the 2017 Memorandum of Understanding (a/k/a Letter of Resolution or “MOU”) between the State Office of Parks, Recreation and Historic Preservation (“OPRHP”) (a/k/a State Historic Preservation Office or “SHPO”) and SED, and under the terms of MOU’s exemption form, a project is exempt from SHPO review if (i) a building is less than 50 years old at the time of project initiation and it is not the work of a recognized Master Architect, Designer or Builder, or associated with persons or events significant in the history of the State of New York, or (ii) a building is 50 years old or older but has previously been evaluated by SHPO and found not to meet the criteria for inclusion in the State and National Register, or (iii) the project work on a building falls under exempt work items specified in Appendix A of the Letter of Resolution, has been designed in accordance with the Letter of Resolution / MOU,

certain scope of work items have been submitted to SHPO for review and approval if required by the Letter of Resolution, and therefore the project will have little or no potential impact on the character of historic resources; and that, regardless of any of the three exemptions being selected, any portions of a project that include site work or ground disturbance, not covered under the work items specified in Appendix A, will be submitted to SHPO for review of possible impacts to archeological resources; and

WHEREAS, SHPO has determined in the past that the District's main school building is "eligible" for listing on the National or State Register of Historic Places ("Registers"), and, therefore, the building is thus not exempt under either items (i) or (ii) described above; and

WHEREAS, Y+W has determined that the proposed ceiling work falls within the types of exempt work items identified in Appendix A of the Letter of Resolution / MOU and therefore the proposed ceiling work is exempt from review by SHPO under item (iii) described above and that it will have no anticipated impacts on historic resources;

WHEREAS, Y+W has determined that the proposed door replacement work is not included within the types of exempt work items identified in Appendix A of the Letter of Resolution / MOU and therefore the proposed door replacement work is not exempt from review by SHPO under item (iii) described above and that information on the door replacement work will be submitted to SHPO for its review; and

WHEREAS, given the consultation with SHPO regarding proposed door replacement work and that such work will be undertaken in compliance with applicable preservation standards, there will not be a significant adverse impact to historic, archaeological, architectural, or aesthetic resources;

NOW THEREFORE, BE IT RESOLVED, that it is the final determination of the District's Board of Education that the proposed Project is a Type II action, which is not subject to review under SEQRA, and that the proposed Project will not result in a significant adverse impact on the environment; and be it further

RESOLVED, that the proposed Project shall be included as a "Transfer to Capital Fund" line item (not exceeding \$100,000 in amount) in the District's proposed budget for the 2021-2022 fiscal year (with appropriate additional notification to District voters regarding the anticipated details of the work to be given in connection with the District's regular budget approval process), so that such Project may be initiated and completed (assuming voter approval of the District's proposed budget) during the District's 2021-2022 fiscal year; and be it further

RESOLVED, that this resolution shall take effect immediately.

6 ayes, 0 nays, motion accepted

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G. Moved by Frank, seconded by Davis to approve the following resolution:

**A RESOLUTION, DATED MARCH 23, 2021, OF THE BOARD OF EDUCATION OF THE WEST VALLEY CENTRAL SCHOOL DISTRICT, CATTARAUGUS COUNTY, NEW YORK (THE "DISTRICT") DETERMINING THE DISTRICT'S PROPOSED SMART SCHOOLS BOND ACT CAPITAL IMPROVEMENTS PROJECT, 2021 (INVOLVING CERTAIN TECHNOLOGY AND SECURITY IMPROVEMENTS AND UPGRADES AT VARIOUS DISTRICT BUILDINGS AND FACILITIES) TO BE A TYPE II ACTION UNDER SEQRA THAT WILL NOT RESULT IN A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT**

WHEREAS, the voters of the State of New York (the "State"), on November 4, 2014, approved the Smart Schools Bond Act ("Smart Schools"), which authorizes the State to issue bonds to fund certain capital improvements projects involving technology and security upgrades; and

WHEREAS, the West Valley Central School District, Cattaraugus County, New York (the "District") has been awarded a Smart Schools allocation of \$436,946 by the State; and

WHEREAS, the Board of Education of the District (the "Board"), with the assistance of the District's architect Young + Wright Architectural ("Y+W"), proposes to undertake a capital improvements project, such work being anticipated to include, but not necessarily be limited to, improvements and upgrades to enhance safety and security, network connectivity, and the replacement of classroom devices, at various District buildings and facilities (collectively, the "Project"); and

WHEREAS, in accordance with New York State Education Department guidance and policy, the Board is the appropriate body to be the lead agency to undertake project review under the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, Section 617.5 of the SEQRA regulations (6 NYCRR Part 617) provides that certain activities are Type II actions which are not subject to review under SEQRA and that such activities include "routine activities of educational institutions," "maintenance or repair involving no substantial changes in an existing structure or facility" and "replacement, rehabilitation or reconstruction of and construction of a structure or facility, in kind, on the same site...unless such action meets or exceeds any [Type I] thresholds in section 617.4"; and

WHEREAS, the proposed Project constitutes such routine activities of educational institutions; maintenance or repair activities; and/or in-kind, same-site replacement, rehabilitation or reconstruction activities not exceeding Type I thresholds; and



WHEREAS, under the terms of the 2017 Memorandum of Understanding (a/k/a Letter of Resolution or “MOU”) between the State Office of Parks, Recreation and Historic Preservation (“OPRHP”) (a/k/a State Historic Preservation Office or “SHPO”) and SED, and under the terms of MOU’s exemption form, a project is exempt from SHPO review if (i) a building is less than 50 years old at the time of project initiation and it is not the work of a recognized Master Architect, Designer or Builder, or associated with persons or events significant in the history of the State of New York, or (ii) a building is 50 years old or older but has previously been evaluated by SHPO and found not to meet the criteria for inclusion in the State and National Register, or (iii) the project work on a building falls under exempt work items specified in Appendix A of the Letter of Resolution, has been designed in accordance with the Letter of Resolution / MOU, certain scope of work items have been submitted to SHPO for review and approval if required by the Letter of Resolution, and therefore the project will have little or no potential impact on the character of historic resources; and that, regardless of any of the three exemptions being selected, any portions of a project that include site work or ground disturbance, not covered under the work items specified in Appendix A, will be submitted to SHPO for review of possible impacts to archeological resources; and

WHEREAS, SHPO has determined in the past that the District’s main school building is “eligible” for listing on the National or State Register of Historic Places (“Registers”), and, therefore, the building is thus not exempt under either items (i) or (ii) described above; and

WHEREAS, Y+W has determined that the proposed work involved with the Project falls within the types of exempt work items identified in Appendix A of the Letter of Resolution / MOU and therefore the proposed work is exempt from review by SHPO under item (iii) described above and that it will have no anticipated impacts on cultural resources, although Y+W may nonetheless submit information on the work to SHPO for confirmation;

NOW THEREFORE, BE IT RESOLVED that it is the final determination of the Board that the Project is a Type II action, which is not subject to review under SEQRA, and that the proposed action will not result in a significant adverse impact on the environment

ADOPTED: March 23, 2021

6 ayes, 0 nays, motion accepted

H. Moved by Harmony, seconded by Niesyty to approve the resolution calling for a Public Vote (at the Annual Meeting and Vote on May 18) on the Establishment of a New Transportation **A RESOLUTION, DATED MARCH 23, 2021, OF THE BOARD OF EDUCATION (THE “BOARD”) OF THE WEST VALLEY CENTRAL SCHOOL DISTRICT, CATTARAUGUS COUNTY, NEW YORK (THE “DISTRICT”) (I)**

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**CALLING FOR A VOTE ON THE ESTABLISHMENT OF A NEW \$750,000 CAPITAL RESERVE FUND FOR THE ACQUISITION OF VARIOUS SCHOOL BUSES AND SIMILAR VEHICLES (AND RELATED EQUIPMENT) AND (II) PROVIDING FOR CERTAIN ADDITIONAL DETAILS WITH RESPECT THERETO.**

BE IT RESOLVED, by the Board of Education (the "Board") of the West Valley Central School District, Cattaraugus County, New York (the "District"), as follows:

SECTION 1. The Board has determined that it is appropriate and in the best interests of the District to seek from the voters of the District their approval for the establishment of a new capital reserve fund for the acquisition of various school buses and similar vehicles (and related equipment) for use by the District in its transportation program (the "Fund").

SECTION 2. The Fund is to be established for the purpose of financing, in whole or in part, the acquisition of various school buses and similar vehicles (and related equipment) for use in the transportation program of the District.

SECTION 3. The Board wishes to set the ultimate amount of the Fund at \$750,000 (plus earnings thereon), and the probable term of the Fund at five (5) years.

SECTION 4. The Board wishes to submit to the voters of the District a proposition with respect to the establishment and operation of the Fund, with such proposition to be voted upon at the annual meeting and vote of the District that is to be conducted on Tuesday, May 18, 2021.

SECTION 5. The Fund shall be deemed approved for further action by the Board upon the approval thereof by a majority of the qualified voters of the District voting on the duly presented proposition at such annual meeting and vote.

SECTION 6. The proposition to be so submitted shall be in substantially the following form:

Reserve Fund in the District

6 ayes, 0 nays, motion accepted

I. Moved by Niesyty, seconded by Frank to approve the Bond Resolution Formally Authorizing the Recently-Approved \$3,875,000 Capital Improvements Project (and Prescribing its Plan A BOND RESOLUTION, DATED MARCH 23, 2021, OF THE BOARD OF EDUCATION OF THE WEST VALLEY CENTRAL SCHOOL DISTRICT, CATTARAUGUS COUNTY, NEW YORK (THE "DISTRICT") AUTHORIZING THE DISTRICT (1) TO UNDERTAKE A CAPITAL IMPROVEMENTS PROJECT, 2021 (THE "PROJECT") CONSISTING OF THE RECONSTRUCTION AND RENOVATION OF, AND THE CONSTRUCTION OF IMPROVEMENTS, ADDITIONS AND UPGRADES TO VARIOUS DISTRICT BUILDINGS AND FACILITIES (AND THE SITES THEREOF) AT March 23, 2021

AN ESTIMATED MAXIMUM COST OF \$3,875,000; (2) TO EXPEND OR APPLY TOWARD THE PROJECT \$845,000 FROM THE DISTRICT'S CAPITAL RESERVE FUND-2015; AND (3) TO ISSUE SERIAL BONDS OR OTHER OBLIGATIONS OF THE DISTRICT (IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,030,000) TO FINANCE THE BALANCE OF THE ESTIMATED MAXIMUM COST OF THE PROJECT, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES (IN ANTICIPATION OF THE SALE OF SUCH OBLIGATIONS) TO THE PRESIDENT OF THE BOARD OF EDUCATION OF THE DISTRICT

WHEREAS, at a special meeting and vote of the qualified voters of the West Valley Central School District, Cattaraugus County, New York (the "District") that was held on March 9, 2021, a proposition (the "Proposition") was duly adopted authorizing the Board of Education of the District (the "Board") (1) to undertake, in general accordance with a referenced project plan, a Capital Improvements Project, 2021 (the "Project") at an estimated maximum cost of \$3,875,000; (2) to expend or apply toward the Project \$845,000, during the current fiscal year of the District, from the District's Capital Reserve Fund-2015; and (3) to levy a tax to finance the balance of the estimated maximum cost of the Project, such tax to be collected in annual installments, with obligations of the District (in an aggregate principal amount not to exceed \$3,030,000) to be issued in anticipation thereof; and

WHEREAS, it is now desired to authorize the expenditure of up to \$3,875,000 for such purpose, and to provide for the financing thereof in accordance with the Proposition.

NOW, THEREFORE,

BE IT RESOLVED, by the Board (by a favorable vote of at least two-thirds of all of the members of the Board), as follows:

**Section 1.** The class of objects or purposes to be financed pursuant to this resolution is a capital improvements project involving the reconstruction and renovation of, and the construction of improvements, additions and upgrades to various District buildings and facilities (and the sites thereof), to implement various health, safety, accessibility and Code compliance measures required by the State Education Department in connection with any significant capital project and various other measures that are generally described in (but are not to be limited by) the written plan for the Project that was prepared by the District (with the assistance of Young + Wright Architectural) and is on file at the District offices, and being subject to the possibility of reallocation, deletion, revision or supplementation, as provided in the public notice of the vote on the Proposition. The foregoing work shall include the purchase of original furnishings, equipment, machinery and apparatus required in connection with the purposes for which such buildings, facilities and sites are used, and all ancillary or

related work required in connection therewith, including preliminary costs and costs incidental thereto and in connection with the financing thereof.

**Section 2.** The estimated maximum cost of such class of objects or purposes is determined to be \$3,875,000, which expenditure is hereby authorized. The plan for the financing of the Project is (1) to expend or apply toward the Project \$845,000, during the current fiscal year of the District, from the District's Capital Reserve Fund-2015 and (2) to issue up to \$3,030,000 of serial bonds or other obligations of the District that may be lawfully issued under the Local Finance Law (the issuance of which being hereby specifically authorized for the financing of the balance of the estimated maximum cost of the Project), with such amount to be offset by any federal, state, county and/or local funds received by the District for the Project. Unless paid from other sources or charges, such balance of the estimated maximum cost of the Project is to be paid by the levy and collection of taxes on all the taxable real property in the District to pay the principal of such bonds or other obligations, and the interest thereon, as the same shall become due and payable.

**Section 3.** It is hereby determined that the period of probable usefulness of the class of objects or purposes referred to in Section 1 hereof is 30 years, pursuant to subdivision 97 of paragraph a of Section 11.00 of the Local Finance Law.

**Section 4.** Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of such bonds, and the renewals of such notes, are hereby delegated to the President of the Board, as the chief fiscal officer of the District. Without in any way limiting the scope of the foregoing delegation of powers, the President of the Board, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the District.

**Section 5.** The temporary use of available funds of the District, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in this resolution.

**Section 6.** This resolution shall constitute the declaration (or reaffirmation) of the District's "official intent" to reimburse the expenditures authorized in this resolution with the proceeds of the bonds, notes or other obligations authorized herein, as required by United States Treasury Regulations Section 1.150-2.

**Section 7.** Each of the obligations authorized by this resolution, and any notes issued in anticipation of the sale of such obligations, shall contain the recital of validity as prescribed by Section 52.00 of the Local Finance Law, and such obligations shall be general obligations of the District, payable as to both principal and interest by a general tax upon all the taxable real property within the District, without limitation as to rate or amount (subject to certain statutory limitations imposed by Chapter 97 of the 2011 Laws of New York). The faith and credit of the District are hereby irrevocably pledged for the payment of the principal of and interest on such obligations, and provision shall be made annually in the budget of the District by appropriation for (1) the amortization and redemption of any such obligations to mature in such year and (2) the payment of interest on any such obligations to be due and payable in such year.

**Section 8.** The President of the Board is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the obligations authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the obligations authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3) of the Code.

**Section 9.** The President of the Board is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the obligations authorized hereunder (or any bond anticipation notes issued in anticipation of the sale of such obligations), containing provisions that are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, as promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended.

**Section 10.** The President of the Board is further authorized to call in and redeem any outstanding obligations (at such times and in such amounts and maturities as may be deemed appropriate after consultation with District officials and the District's municipal advisor), to approve any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such calls for redemption pursuant to Section 53.00 of the Local Finance Law, with the understanding that no such call for redemption will be made unless such notice of redemption shall have first been filed with the District Clerk.

**Section 11.** In the absence or unavailability of the President of the Board, the Vice President of the Board is hereby specifically authorized to exercise the powers delegated to the President of the Board in this resolution.

**Section 12.** The District Clerk is hereby authorized and instructed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the District's official newspaper(s). The validity of the obligations authorized hereby, or of any bond anticipation notes issued in anticipation of the sale of such obligations, may be contested only if:

(1) (a) such obligations are authorized for an object or purpose for which the District is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of publication of this resolution (or a summary thereof) are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication; or

(2) such obligations are authorized in violation of the provisions of the Constitution of New York.

**Section 13.** This resolution is effective immediately and shall be placed in the official minutes of the Board as an official action of the Board.

6 ayes, 0 nays, motion accepted

J. Moved by Klahn, seconded by Harmony to approve the board resolution regarding Annual District meeting and election, RESOLVED, that the West Valley Central School District Board of Education hereby authorizes the District Clerk to amend and publish a revised Notice of Annual School District Meeting and Vote as may be necessary to comply with any requirements set forth in an Executive Order of the Governor of New York State, other federal or state legislation, or applicable guidance related to the COVID-19 pandemic. 6 ayes, 0 nays, motion accepted

K. Moved by Harmony, seconded by Frank to approve the following Pediatric Home Nursing Services, Inc., d/b/a Aveanna Healthcare agreement:

This agreement ("Agreement") is made and entered into this 23<sup>rd</sup> day of March, 2021, by and between Pediatric Nursing Services, Inc., d/b/a Aveanna Healthcare, 400 Interstate Parkway, SE Suite 1600 Atlanta, GA 30339 and West Valley Central School District for nurse staffing, substitute nurse, field trips (RN/LPN/LV,

6 ayes, 0 nays, motion accepted

Moved by Frank, seconded by Harmony to go into Executive session at 8:03 pm for current litigation, collective negotiations, and employment history of particular persons, no business to be conducted afterwards. 6 ayes, 0 nays, motion accepted

Moved by Harmony, seconded by Niesyty to come out of Executive session at 9:34pm.  
6 ayes, 0 nays, motion accepted

**XIII:** Moved by Harmony, seconded by Niesyty to **ADJOURN** at 9:35pm.  
6 ayes, 0 nays, motion accepted

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District Clerk  
Meeting minutes from transcribed dictation and audio